

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF       )  
ARTESIAN WATER COMPANY, INC. FOR A       )  
CERTIFICATE OF PUBLIC CONVENIENCE AND   ) PSC DOCKET NO. 19-0117  
NECESSITY TO PROVIDE WATER SERVICES     )  
PURSUANT TO 26 DEL. C. § 203C            )  
(FILED FEBRUARY 28, 2019)                )

**ORDER NO. 9376**

**AND NOW**, this 7th day of May 2019, the Delaware Public Service Commission ("Commission") determines and orders the following:

**WHEREAS**, on February 28, 2019, Artesian Water Company, Inc. ("Artesian" or the "Company") filed an application ("Application"), with the Commission pursuant to 26 Del. C. § 203C(e)(1)b. seeking a Certificate of Public Convenience and Necessity ("CPCN") to expand its facilities and operations to provide water service to three parcels of land in Sussex County, Delaware, more specifically identified as Sussex County Tax Map Parcels Numbers 134-11.00-51.00, 134-15.00-2.02 and 134-11.00-57.03 and referred to as "Blackwater 51.00, Burbage 2.02 and Burbage 57.03 (the "Proposed Service Area"); and

**WHEREAS**, on February 14, 2019, the Commission received an opt out form from the property owner of Tax Map Parcel No. 134-15.00-2.02, signed and dated January 1, 2019; and

**WHEREAS**, Staff discussed the opt out request with the Company and both agreed that this parcel should be removed from the requested service area; and

**WHEREAS**, the proposed service area now includes only Tax Map Parcel Nos. 134-11.00-51.00 and 134-11.00-57.03; and

**WHEREAS**, the Commission Staff ("Staff") reviewed the Application to ensure compliance with the statutory provisions of 26 *Del. C.* § 203C and 26 *Del. Admin. C.* § 2002, the Commission's "Regulations Governing Certificates of Public Convenience and Necessity for Water Utilities" (the "Regulations"); and

**WHEREAS**, Staff notes that the Application included evidence that Artesian had mailed to the landowners of record in the Proposed Service Area a notice regarding the Application and the options available to the landowners of record. In addition, Artesian provided evidence via affidavits of publication to show that it had published notice of the Application in two newspapers of general circulation. Staff also notes that it has received no other comments regarding Artesian or the Application in response to the published notices; and

**WHEREAS**, Staff has submitted to the Commission a memorandum that confirms the Application meets all of the requirements for granting Artesian a CPCN for water services pursuant to 26 *Del. C.* § 203C and the Regulations. Accordingly, Staff has recommended that the Commission approve the Application;

**NOW, THEREFORE, IT IS HEREBY ORDERED BY THE AFFIRMATIVE  
VOTE OF NO FEWER THAN THREE COMMISSIONERS:**

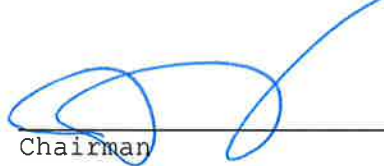
1. Pursuant to 26 *Del. C.* § 203C(e), Artesian is hereby granted a CPCN to serve the Proposed Service Area identified by the Sussex County Tax Map Parcel Numbers 134-11.00-51.00 and 134-11.00-57.03.

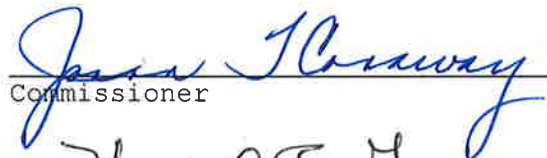
2. Artesian shall comply with any and all federal, state, county, and local statutes, ordinances, orders, regulations, rules, and permit conditions that are applicable, or may become applicable, to any matter

involving water utility services provided to the service territory granted by this CPCN.

3. The Commission reserves the jurisdiction and authority to enter such further orders in this matter as may be deemed necessary or proper.

BY ORDER OF THE COMMISSION:

  
Chairman

  
Commissioner

  
Commissioner

  
Commissioner

  
Commissioner

ATTEST:

  
Secretary

